

2. Defendants moved to dismiss Plaintiff's Complaint. Briefing on Defendants' motion was complete on April 26, 2006.

3. While Defendants' motion to dismiss was pending, Plaintiff, on July 27, 2006 filed an Amended Complaint.

4. Defendants' response to the Amended Complaint is currently due on September 15, 2006.

5. The parties have agreed to the following schedule for the briefing of Defendants' motion to dismiss Plaintiff's Amended Complaint.

- a. Defendants' motion to dismiss and supporting memorandum to be filed with the Court on or before October 26, 2006;
- b. Plaintiff's opposition to be filed with the Court on or before November 29, 2006; and
- c. Defendants' reply memorandum to be filed with the Court on or before December 21, 2006.

6. The requested schedule will not affect any other deadlines set by the Court in the case.

WHEREFORE, Defendants respectfully request the Court enter an order approving the schedule set forth above.

OLYMPIA LEVINSON STIEGELE,

VIISAGE TECHNOLOGY, INC.

By her Attorneys,

By its attorneys,

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Dated: September 14, 2006